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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,  
11  
12 Plaintiff,

13 v.

14 DARRYL SIMS,  
15  
16 Defendant.

) No. CR 93-432 SBA  
)  
) **STIPULATION AND ~~PROPOSED~~**  
) **ORDER FOR CONTINUANCE OF**  
) **STATUS ON SUPERVISED**  
) **RELEASE REVOCATION**  
) **PROCEEDINGS**

17  
18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the STATUS  
19 ON REVOCATION HEARING date of September 1, 2009, scheduled at 9:00 a.m., before the  
20 Honorable Sandra Brown Armstrong, be vacated and reset as a STATUS ON REVOCATION  
21 HEARING on November 10, 2009 at 9:00 a.m.

22 The continuance is necessary because the sole charge alleged in the Form 12 Petition for  
23 Revocation is based on a local arrest of Mr. Sims. No charges have yet been filed in state court  
24 as a result of that arrest, and the parties agree that the outcome of that matter will likely affect the  
25 supervised release revocation proceedings. The continuance will allow sufficient time for any  
26

1 state court matter to be resolved. In addition, Mr. Sims underwent shoulder surgery on August  
2 18, 2009, and is unable to drive during a six-week period of recuperation. The continuance will  
3 allow him time to recuperate.

4 The Probation Office does not object to this request. No exclusion of time is necessary,  
5 given that this matter relates to supervised release.

7 DATED: August 18, 2009

/s/

CHRISTINA McCALL  
Assistant United States Attorney

9 DATED: August 18, 2009

/s/

COLLEEN MARTIN  
Assistant Federal Public Defender  
Counsel for Darryl Sims

12 **SIGNATURE ATTESTATION**

13 I hereby attest that I have on file all holograph signatures for any signatures indicated by  
14 a "conformed" signature (/S/) within this e-filed document.

17 **ORDER**

18 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the date for STATUS ON  
19 REVOCATION HEARING scheduled for September 1, 2009, at 9:00 a.m., be vacated and reset  
20 on November 10, 2009 at 9:00 a.m. No Speedy Trial Act concerns are implicated because this is a  
21 supervised release matter.

23 SO ORDERED.

24 DATED: 8/20/09

*Saundra B. Armstrong*

25 SAUNDRA BROWN ARMSTRONG  
26 United States District Judge